

IN THE COUNTY COURT, POLK COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

vs.

CASE NO. 21MM006542BA

BRANDON LEE CASE

Defendant.

NOTICE OF DISCOVERY (DDIS)

Defendant, through counsel, notices the Court and the State of Florida that Defendant elects to participate in discovery pursuant to Fla. R. Crim.P. 3.220. Defendant respectfully demands that within fifteen (15) days of the filing of this notice the State of Florida disclose to counsel for Defendant the information and material within the State's possession or control as included within Fla. R. Crim. P. 3.220(b)(1) and (2), together with the opportunity to inspect, copy, test and photograph same.

HOWARD L. "REX" DIMMIG, II
Public Defender

/s/CHRISTOPHER PEREZ
CHRISTOPHER PEREZ
FLORIDA BAR #0124210
Assistant Public Defender

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the State Attorney's Office by electronic transmission this 21st day of October, 2021.

HOWARD L. "REX" DIMMIG, II
Public Defender

/s/CHRISTOPHER PEREZ
CHRISTOPHER PEREZ
FLORIDA BAR #0124210
Assistant Public Defender

IN THE COUNTY COURT, POLK COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

vs.

CASE NO. 21MM006542BA

BRANDON LEE CASE

Defendant.

DEMAND FOR DISCLOSURE OF MATERIAL FAVORABLE TO DEFENDANT (DDF)

Defendant, through counsel, demands that the State of Florida disclose to Defendant forthwith the existence of material in the State's possession or knowledge which is favorable to the Defendant as to the issue of guilt or innocence, as to the credibility of a State witness, or as to punishment. Defendant further demands that the State continue to disclose such material newly discovered as it is discovered.

As grounds for this motion, Defendant states that Fla. R. Crim. P. 3.220(b)(4) and the due process clauses of the Fourteenth Amendment to the United States Constitution and Article I, Section 9, of the Florida Constitution require such disclosure upon request. *Brady v. Maryland*, 373 U.S. 83 (1963), *United States v. Agurs*, 427 U.S. 97 (1976).

Defendant requests the following materials:

1. Any written or recorded statement made by any person to the police or to the State Attorney's Office which tends to establish the Defendant's innocence or to impeach or contradict the testimony of any witness whom the State will call at the trial of the cause.

2. Any police investigation report made to the police which tends to establish the Defendant's innocence or to impeach or contradict the testimony of any witness whom the State will call at the trial of the cause.

3. The names and addresses of witnesses who might establish the Defendant's innocence or impeach or contradict the testimony of any witness whom the State will call at the trial of the cause.

4. Any information or material which would tend to establish the Defendant's innocence or to impeach or contradict the testimony of any witness whom the State intends to call at the trial of the cause, including but not limited to the following:

- (a) Any information concerning convictions or pending or prior indictments of any State witness.
- (b) Any information favorable to the Defendant concerning any interest, motive, bias, prejudice, or hostility on the part of the State witness.

- (c) Any information favorable to the Defendant concerning any means of obtaining knowledge, powers of observation, or power of memory of any State witness.
 - (d) Any information favorable to the Defendant concerning the associations, habits, or life style of any State witness.
 - (e) Any promises to any witness regarding immunity, leniency, recommendations of specific sentence, or reward, including any threats of prosecution, made in this or other cases and investigations.
 - (f) Any descriptions of the perpetrator of the offense(s) forming the basis of this case which do not match the Defendant, and any identification of someone other than the Defendant.
5. Any scientific or medical report which tends to establish the Defendant's innocence or to impeach or contradict any witness whom the State will call at the trial of this cause.
6. Names and addresses of and any statements made by persons having information favorable to Defendant for sentencing or disposition purposes, including information tending to show the existence of mitigating circumstance, statutory and non-statutory, and/or the absence of the statutory aggravating circumstances.

WHEREFORE, Defendant requests that this demand be answered in all respects.

HOWARD L. "REX" DIMMIG, II
Public Defender

/s/CHRISTOPHER PEREZ
CHRISTOPHER PEREZ
FLORIDA BAR #0124210
Assistant Public Defender

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